

Honorable Rick Jones, Chairman, Senate Judiciary Committee
Members, Michigan Senate
Capitol Building
Lansing, MI 48909-7514



Re: HB 4478—Protective Orders to Include Animal Victims

Dear Chairman Jones and Members of the Senate:

I am writing on behalf of the Animal Legal Defense Fund to express our adamant support of HB 4478, which allows for including companion animals in protective orders. By way of background, the Animal Legal Defense Fund (ALDF) is a national, nonprofit organization of attorneys who specialize in the protection of animals. We work to ensure both the aggressive enforcement of existing animal protection laws and the enactment of improved laws benefiting animals.

Companion animals are part of the family. As such, perpetrators of domestic violence use animals as pawns for controlling their human victims—and why these battered human victims will often refuse to leave their abusers for fear that their companion animals will be harmed. National studies have documented this cycle of abuse: As many as 71 percent of women reported that their pets have been threatened, harmed, or killed by their abusive partners; at least 48 percent of battered women have delayed leaving a dangerous situation out of fear for the safety of their pet; and 85 percent of responding domestic violence shelters indicated that women reported pet abuse.

HB 4478 would help to change that scenario, by allowing animals to be included in court-issued protective orders. The majority of states in this country—including four bills enacted last year—have already taken this important step to protect human victims of domestic violence and their animal companions.¹ To be sure, HB 4478 does not confer any new legal status to animals. (See *Koester v. VCA Animal Hospital, et al*, LC No. 98-825257-NM, 2000, where the Michigan Court of Appeals, acknowledged that domesticated pets have “value and sentimentality associated with them” unlike other personal property, nevertheless reaffirmed that these animals are

¹ States that already allow protective orders to include animals include: AZ, AR, CA, CO, CT, HI, IL, IN, IA, LA, ME, MD, MN, NV, NH, NY, NC, OK, OR, SC, TN, TX, VT, VA, WA, WV.

Portland Office
919 SW Taylor Street
4th Floor
Portland, Oregon 97205

T 503.231.1602
F 503.231.1578

National Headquarters
170 East Cotati Avenue
Cotati, California 94931

T 707.795.2533
F 707.795.7280

info@aldf.org
aldf.org

legally defined as property). Rather, this bill simply adds a mechanism for human victims to escape situations of abuse without fear that protecting themselves will endanger their pet.

As you know, the Committee on Criminal Justice reported HB 4478 unanimously with no amendments. We hope all members of the Michigan Senate will vote for this important legislation and join the majority of states that have removed an obstacle to domestic violence survivors escaping abuse.

Sincerely,

A handwritten signature in cursive script that reads "Lora Dunn".

Lora Dunn
Staff Attorney, Criminal Justice Program
Animal Legal Defense Fund